IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
Criminal Revision No. 526 of 2001(New No.)
Criminal Revision No. 626 of 1994 (Old No.)

Thakur Singh …Revisionist

Versus

State of U.P. & others …. Opposite Parties

Hon'ble B.C. Kandpal, J.

List has been revised. None has appeared on behalf of revisionist.

Learned A.G.A. is present before the Court.

Heard learned A.G.A. and perused the record. The perusal of the judgment passed by the appellate court i.e. Sessions Judge, Pithoragarh reveal that the opposite party no. 2 to 4 have been quietly acquitted.

I do not find any reliable evidence which may suggest that any theft of a particular class of wood was committed. There is no evidence also available on the record which may suggest that the accused/opposite party no. 2 to 4 were seen committing the theft. The recovery of the wood from the possession of the opposite party no. 2 to 4 also appears to be doubtful.

I do not find any illegality impropriety or any error of jurisdiction in the order passed by the Sessions Judge, Pithoragarh.

The revision is accordingly dismissed against the acquittal of the opposite party no. 2 to 4.

(B.C. Kandpal, J.)

14.07.2004
ASWAL